



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,625	02/23/2004	Christopher M. Roche	03510-P0001B SHL	8399
24126 7590 10/05/2007 ST. ONGE STEWARD JOHNSTON & REENS, LLC 986 BEDFORD STREET STAMFORD, CT 06905-5619			EXAMINER PORTER, RACHEL L	
			ART UNIT 3626	PAPER NUMBER
			MAIL DATE 10/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,625

Applicant(s)

ROCHE, CHRISTOPHER M.

Examiner

Rachel L. Porter

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to the Applicant

1. This is in response to the application filed 2/23/04. Claims 1-26 are pending.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: There appears to be a page missing. (The hyphenated word on page 1 is not completed on page 2)

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "computer executable instructions...for generating and transmitting manually prepared proposals..." The examiner understands the term "manually prepared" to mean done by hand. Therefore, it is unclear to the to the

Examiner how computer executable instructions generate manually produced items.

Clarification is requested.

A similar analysis may be applied to claim 13 which also recite, "computer executable instructions...for generating and transmitting manually prepared proposals..."

Claims 2-12 inherit the deficiencies of claim 1 through dependency and are also rejected.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4-10,12,14,19-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lockwood. (USPN 4,567,359) in view of Iggoe (US 2002/0026334 A1).
[claim 1] Lockwood teaches a system for facilitating the selection and purchase of an insurance policy by a client from a broker, said system comprising:

- a computer; (col. 2, lines 31-34; col. 4, lines 24-51)
- a database accessible by said computer, said database having stored thereon information relating to service provider benchmarks; (col. 2, lines 35-67; col. 5, lines 37-55)

- computer executable instructions embodied on a computer readable medium for receiving from the user information relating to an insurance policy; (col. 2, lines 48-55; col. 5, lines 32-36; col. 6, lines 46-65; Figure 4)
- computer executable instructions embodied on a computer readable medium for comparing, based upon pre-selected criteria, the information relating to an insurance policy with the information relating to broker benchmarks to identify at least one appropriate broker; (col. 7, lines 5-13; line 61-col. 8, line 2—The system stores information on types of insurance/rates (i.e. benchmarks) and uses the selections and data input by the user to compare a plurality of insurance providers and to determine at least one insurance provider.)
- computer executable instructions for generating and transmitting requests for (manually) prepared proposals to the at least one identified appropriate broker (col. 7, lines 5-13), tailored to the individual client. (generating—col. 2, lines 48-55; col. 6, lines 51-65; col. 7, lines 5-13—The user terminal solicits information from users, including the type of information required, and submits this data to the central computer (i.e. a request for proposals from insurance providers)).
- computer executable instructions embodied on a computer readable medium for receiving quotes from the at least one identified appropriate service provider in response to the requests for proposals; and (col. 7, lines 5-13)
- computer executable instructions embodied on a computer readable medium for transmitting the received quotes to the user. (col. 7, lines 5-13)

Lockwood discloses the system of claim 1 as recited above, but does not expressly disclose that the system stores information regarding the specialty of each broker. Igoe discloses a system wherein the system stores information regarding the specialty of the broker (Figures 5B-6; par. 33). At the time of time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood to include information on the specialties of insurance brokers and agents. As suggested by Igoe, one would have been motivated to include this feature to assist in the selection of appropriately qualified and credentialed broker/agent for the type of insurance desired by the client. (par. 36-37)

[claim 4] Lockwood discloses a system for generating insurance proposals, but does not expressly disclose, the system of Claim 1 wherein the broker benchmarks further comprise data indicative of a geographic location of each broker. Igoe discloses a system wherein the broker benchmarks further comprise data indicative of a geographic location of each broker. (par.31, 33-34, Figure 5B) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood with the teaching of Igoe to provide geographic information on the brokers/agents. As suggested by Igoe, one would have been motivated to include this feature to facilitate a match between broker and client using location information provided by the client. (par. 31.)

[claim 5] Lockwood discloses a system for generating insurance proposals, but does not expressly disclose, the system of Claim 4 wherein the broker benchmarks further comprise, for each broker, data indicative of at least one of an amount of business the broker conducts, a size of the broker, a length of time the broker has been in business, whether the broker is a public or private entity, and whether the broker is a headquarters or a branch location. (Figure 5A-B) At the time of time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood to include information on experience of the brokers and agents. As suggested by Igoe, one would have been motivated to include this feature to assist in the selection of appropriately qualified and credentialed broker/agent for the type of insurance desired by the client. (par. 36-37)

[claim 6] Lockwood teaches a system wherein said computer executable instructions embodied on a computer readable medium for receiving from the user information relating to an insurance policy comprises:

- computer executable instructions embodied on a computer readable medium for transmitting a questionnaire to the user soliciting information relating to an insurance policy; and (col. 6, lines 46-65; Figure 4)
- computer executable instructions embodied on a computer readable medium for receiving from the user responses to the questionnaire indicative of information relating to an insurance policy. (col. 6, lines 46-65; Figure 4)

[claim 7] Lockwood teaches a system further comprising computer executable instructions embodied on a computer readable medium for receiving from the client an indication of a desired type of insurance, and wherein the questionnaire solicits information specific to the desired type of service/insurance. (col. 2, lines 48-55; col. 3, lines 9-24; col. 6, lines 51-65)

[claim 8], Lockwood teaches a system wherein the at least one appropriate broker comprises a plurality of appropriate broker. (col. 7, lines 5-13; line 61-col. 8, line 2)

[claim 9] Lockwood teaches a system further comprising computer executable instructions embodied on a computer readable medium for generating a contract based upon a selected received quote, and for transmitting the contract to the user along with the quote. (Figure 6; col. 1, lines 31-36; col. 2, line 63-col. 3, line 4; col. 3, line 24-32; col. 7, lines 9-24; col. 8, lines 12-19; col. 12, lines 4-17). Lockwood does not expressly disclose whether contracts are generated for each quote. However, insofar as the Lockwood system does generate contracts (i.e. binder agreements) for selected quotes and does transmit a selected contract and quotation to the user, it is submitted that at the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to expand the system of Lockwood to generate and transmit contracts for each quote received. One would have been motivated to do this to allow the user to more closely review all terms of the prospective policies before committing to a particular policy and to make the most informed decision.

[claim 10] Lockwood teaches a system further comprising computer executable instructions embodied on a computer readable medium for receiving from the client an indication of a selected quote, and for generating and transmitting to the user a contract based upon the selected quote. (Figure 6; col. 7, lines 5-24; lines 44-55; col. 12, lines 4-17)

[claim 12] Lockwood teaches a system further comprising computer executable instructions embodied on a computer readable medium for receiving from the client an indication of a selected quote, and for transmitting to the broker which submitted the selected quote an indication that the quote has been selected by the client. (col. 7, lines 5-24; col. 8, line 35-col. 9, line 5; Figure 6—The system generates reports and policy files indicating all policies purchased of a particular type and/or from a particular company.)

[claim 14] Lockwood teaches a method for facilitating the selection and purchase of an insurance policy by a client from a broker, said system comprising:

- providing a database, said database having stored thereon information relating to broker benchmarks; (col. 2, lines 35-67; col. 5, lines 37-55)
- receiving from the client information relating to an insurance policy; (col. 2, lines 48-55; col. 5, lines 32-36; col. 6, lines 46-65; Figure 4)

- comparing, based upon pre-selected criteria, the information relating to an insurance policy with the information relating to broker benchmarks to identify at least one appropriate broker; (col. 7, lines 5-13; line 61-col. 8, line 2—The system stores information on types of insurance/rates (i.e. benchmarks) and uses the selections and data input by the user to compare a plurality of insurance providers and to determine at least one insurance provider.)
- generating and transmitting requests for (manually) prepared proposals to the at least one identified appropriate broker (col. 7, lines 5-13), tailored to the individual client. (generating—col. 2, lines 48-55; col. 6, lines 51-65; col. 7, lines 5-13—The user terminal solicits information from users, including the type of information required, and submits this data (i.e. a request for proposals from insurance providers)).
- receiving quotes from the at least one identified appropriate broker in response to the requests for proposals; and (col. 7, lines 5-13)
- transmitting the received quotes to the client . (col. 7, lines 5-13)

Lockwood discloses the method of claim 14 as recited above, but does not expressly disclose storing information regarding the specialty of each broker. Igoe discloses a method further comprising storing information regarding the specialty of the broker (Figures 5B-6; par. 33). At the time of time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood to include information on the specialties of insurance brokers and agents.

As suggested by Igoe, one would have been motivated to include this feature to assist in the selection of appropriately qualified and credentialed broker/agent for the type of insurance desired by the client. (par. 36-37)

[claim 19] Lockwood teaches a method wherein said step for receiving from the client information relating to the client and relating to an insurance policy comprises:

- transmitting a questionnaire to the client soliciting information relating to the client and to desired an insurance policy; and (col. 6,lines 46-65; Figure 4)
- receiving from the client responses to the questionnaire indicative of information relating to the client and to a desired insurance policy. (col. 6,lines 46-65; Figure 4)

[claim 20] Lockwood teaches a method further comprising the step of receiving from the client an indication of a desired type of insurance, and wherein the questionnaire solicits information specific to the desired type of service/insurance. (col. 2, lines 48-55; col. 3, lines 9-24; col. 6, lines 51-65)

[claim 21], Lockwood teaches a method wherein the at least one appropriate broker comprises a plurality of appropriate brokers. (col. 7, lines 5-13; line 61-col. 8, line 2)

[claim 22] Lockwood teaches a method further comprising computer executable instructions embodied on a computer readable medium for generating a contract

Art Unit: 3626

based upon a selected received quote, and for transmitting the contract to the user along with the quote. (Figure 6; col. 1, lines 31-36; col. 2, line 63-col. 3, line 4; col. 3, line 24-32; col. 7, lines 9-24; col. 8, lines 12-19; col. 12, lines 4-17). Lockwood does not expressly disclose whether contracts are generated for each quote. However, insofar as the Lockwood system does generate contracts (i.e. binder agreements) for selected quotes and does transmit a selected contract and quotation to the user, it is submitted that at the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to expand the system of Lockwood to generate and transmit contracts for each quote received. One would have been motivated to do this to allow the user to more closely review all terms of the prospective policies before committing to a particular policy and to make the most informed decision.

[claim 23] Lockwood teaches a method further comprising a step of receiving from the client an indication of a selected quote, and for generating and transmitting to the user a contract based upon the selected quote. (Figure 6; col. 7, lines 5-24; lines 44-55; col. 12, lines 4-17)

[claim 25] Lockwood teaches a method further comprising the step of receiving from the client an indication of a selected quote, and for transmitting to the broker which submitted the selected quote an indication that the quote has been selected by the client. (col. 7, lines 5-24; col. 8, line 35-col. 9, line 5; Figure 6—The system generates

Art Unit: 3626

reports and policy files indicating all policies purchased of a particular type and/or from a particular company.)

7. Claims 2, 3, 13, 15-18, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lockwood (USPN 4,567,359) in view of Igoe (US 2002/0026334 A1), as applied to claim 1, and in further view of Underwood et al (US 5,873,066).

[claims 2-3] Lockwood and Igoe teach teaches the system claim 1, as explained in the rejection of claim 1. Igoe further discloses providing information one the specialty of the broker. However, Lockwood and Igoe do not expressly disclose that the specialty information for the client and/or brokers is provided as alphanumeric codes, including SIC codes.

Underwood discloses that the use of SIC codes to denote field of specialty in the insurance underwriting process is well known in the art (col. 2, lines 14-41). Underwood further discloses storing information regarding SIC codes for the client specialty (col. 4, lines 10-20) At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood and Igoe in combination, with the teaching of Underwood to include the use of SIC codes to denote specialties (e.g. for clients and brokers), and to further to match clients and brokers. As suggested by Underwood, one would have been motivated to include these features to ensure that the broker is appropriately informed of the hazard rating instructions and factors which

Art Unit: 3626

should be considered when analyzing the risks associated with a particular industry and code. (col. 5, lines 8-25)

[claim 13] The limitations of claim 13 are substantially similar to those recited in claims 1 and 2-3. Therefore, claim 13 is rejected using the rationale provided in the rejections of claims 1 and 2-3, and incorporated herein.

[claims 15-16] Lockwood and Igoe teach teaches the method claim 14, as explained in the rejection of claim 14. Igoe further discloses providing information one the specialty of the broker. However, Lockwood and Igoe do not expressly disclose that the specialty information for the client and/or brokers is provided as alphanumeric codes, including SIC codes.

Underwood discloses that the use of SIC codes to denote field of specialty in the insurance underwriting process is well known in the art (col. 2, lines 14-41). Underwood further discloses storing information regarding SIC codes for the client specialty (col. 4, lines 10-20) At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the method of Lockwood and Igoe in combination, with the teaching of Underwood to include the use of SIC codes to denote specialties (e.g. for clients and brokers), and to further to match clients and brokers. As suggested by Underwood, one would have been motivated to include these features to ensure that the broker is appropriately informed of the hazard rating instructions and factors which

Art Unit: 3626

should be considered when analyzing the risks associated with a particular industry and code. (col. 5, lines 8-25)

[claim 17] Lockwood discloses a system for generating insurance proposals, but does not expressly disclose, the system of Claim 15 wherein the broker benchmarks further comprise data indicative of a geographic location of each broker. Igoe discloses a system wherein the broker benchmarks further comprise data indicative of a geographic location of each broker. (par.31, 33-34, Figure 5B) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood with the teaching of Igoe to provide geographic information on the brokers/agents. As suggested by Igoe, one would have been motivated to include this feature to facilitate a match between broker and client using location information provided by the client. (par. 31.)

[claim 18] Lockwood discloses a system for generating insurance proposals, but does not expressly disclose, the system of Claim 17 wherein the broker benchmarks further comprise, for each broker, data indicative of at least one of an amount of business the broker conducts, a size of the broker, a length of time the broker has been in business, whether the broker is a public or private entity, and whether the broker is a headquarters or a branch location. (Figure 5A-B) At the time of time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the system of Lockwood to include information on experience of the

brokers and agents. As suggested by Igoe, one would have been motivated to include this feature to assist in the selection of appropriately qualified and credentialed broker/agent for the type of insurance desired by the client. (par. 36-37)

[claim 26] The limitations of claim 26 are substantially similar to those recited in claims 14 and 15-16. Therefore, claim 26 is rejected using the rationale provided in the rejections of claims 14 and 15-16, and incorporated herein.

8. Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lockwood and Igoe, as applied to claims 1 and 14, in view of Giovannoli (USPN 5,842,178).

[claim 11] Lockwood teaches a system further comprising computer executable instructions embodied on a computer readable medium for transmitting received quotes (col. 7, lines 5-13), but does not expressly disclose that contact information is also provided.

Giovannoli teaches a system wherein broker contact information is also transmitted with the quotation. (Figure 8) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to combine the system of Lockwood with the teaching of Giovannoli to include contact information with the quote information. One would have been motivated to do this to enable the user to

Art Unit: 3626

contact the insurance company to clarify any issues or to answer questions regarding terms in the quotation.

[claim 24] Lockwood teaches a method further the step of transmitting received quotes (col. 7, lines 5-13), but does not expressly disclose that contact information is also provided.

Giovannoli teaches a system wherein broker contact information is also transmitted with the quotation. (Figure 8) At the time of the Applicant's invention, it would have been obvious to one of ordinary skill in the art to combine the system of Lockwood with the teaching of Giovannoli to include contact information with the quote information. One would have been motivated to do this to enable the user to contact the insurance company to clarify any issues or to answer questions regarding terms in the quotation.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ritter (WO 9120071 A1) teaches a system and method for comparing insurance products.
- French et al (USPAN 2001/0037281) teaches a system and method for requesting quotes from a plurality of service providers.


Art Unit: 3626

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel L. Porter whose telephone number is (571) 272-6775. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP
RP


C. LUKE GILLIGAN
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600